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Attorneys for Complainant

**BEFORE THE  
PHYSICAL THERAPY BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

JOHN KAVAYIOTIDIS, P.T.  
39201 State Street  
Fremont, CA 94538

Physical Therapist License No. PT 9250

Respondent.

Case No. 1D 2006 64545  
OAH No.

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
above-entitled proceedings that the following matters are true:

**PARTIES**

1. Complainant Steven K. Hartzell is the Executive Officer of the Physical  
Therapy Board of California. He brought this action solely in his official capacity and is  
represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,  
by Vivien H. Hara, Deputy Attorney General.

2. Respondent John Kavayiotidis, P.T. is represent by Charles Bond, Esq., of  
Physicians' Advocates, 821 Bancroft Way, Berkeley, CA 94710.

3. On or about August 15, 1879, the Physical Therapy Board of California  
issued Physical Therapist License No. PT 9250 to John Kavayiotidis ("respondent"). This license

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1 was in full force and effect at all times relevant to this action and will expire on November 30,  
2 2008, unless renewed.

3 **JURISDICTION**

4 4. Accusation No.1D 2006 64545 was filed before the Physical Therapy  
5 Board of California, Department of Consumer Affairs (“Board”), and is currently pending against  
6 Respondent. The Accusation and all other statutorily required documents were properly served  
7 on Respondent. Respondent timely filed his Notice of Defense contesting the Accusation. A  
8 copy of Accusation No. 1D 2006 64545 is attached as exhibit A and incorporated herein by  
9 reference.

10 **ADVISEMENT AND WAIVERS**

11 5. Respondent has carefully read and fully understands the charges and  
12 allegations in Accusation No. 1D-2006-64545. Respondent has also carefully read and fully  
13 understands the effects of this Stipulated Settlement and Disciplinary Order.

14 6. Respondent is fully aware of his legal rights in this matter, including the  
15 right to a hearing on the charges and allegations in the Accusation; the right to be represented by  
16 counsel at his own expense; the right to confront and cross-examine the witnesses against him;  
17 the right to present evidence and to testify on his own behalf; the right to the issuance of  
18 subpoenas to compel the attendance of witnesses and the production of documents; the right to  
19 reconsideration and court review of an adverse decision; and all other rights accorded by the  
20 California Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily and knowingly waives and gives up each right set  
22 forth above.

23 **ACKNOWLEDGMENT**

24 8. For the purpose of resolving the Accusation without the expense and  
25 uncertainty of further proceedings, respondent agrees to be bound by the Board’s imposition of  
26 discipline as set forth in the Disciplinary Order below, without admitting the validity of the  
27 Accusation or any allegation made therein.

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1 public reproof is attached as Exhibit B and is incorporated herein by reference as if fully set  
2 forth.

3 A. COST RECOVERY. Respondent is ordered to reimburse the Board the  
4 actual and reasonable prosecutorial costs in this matter of \$10,000.00 within ninety (90) days of  
5 the effective date of the decision. Respondent's failure to pay the ordered reimbursement, or any  
6 agreed upon payment, may constitute a violation of this order.

7 B. PRACTICE OR PERFORMANCE OF PHYSICAL THERAPIST  
8 DUTIES WHILE SUBJECT TO PUBLIC REPROVAL. It is not contrary to the public interest  
9 for Respondent to practice and/or perform his duties as a physical therapist after issuance of the  
10 public reproof. Accordingly, it is not the intent of the Board that this order or the fact that  
11 Respondent has been publicly reproofed shall be used as the sole basis for any third party payor to  
12 remove respondent from any list of approved providers.

13 C. FAILURE TO COMPLY WITH ORDER. A material breach by  
14 Respondent of this order shall constitute unprofessional conduct and shall be a basis for further  
15 disciplinary action by the Board. In such circumstances, Complainant may reinstate the  
16 Accusation in Case No. 1D 2006 64545, file an amended accusation, and/or file a supplemental  
17 accusation alleging any material breach of this order by respondent as unprofessional conduct.

#### 18 ACCEPTANCE

19 I have carefully read the above Stipulated Settlement and Disciplinary Order and  
20 have fully discussed it with my family and other advisors. I understand the stipulation and the  
21 effect it will have on my Physical Therapist License . I enter into this Stipulated Settlement and  
22 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the  
23 Decision and Order of the Physical Therapy Board of California.

24 DATED: April 8, 2008

25  
26 Original Signed By:  
27 JOHN KAVAYIOTIDIS, P.T.  
28 Respondent

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1 I have fully read and discussed with respondent John Kavayiotidis, P.T. the  
2 provisions of this Stipulation. I approve its form and content.

3 DATED: April 14, 2008

4  
5 Original Signed By: \_\_\_\_\_  
6 CHARLES BOND, ESQ.  
7 Physicians' Advocates

8 Attorneys for Respondent

9  
10 ENDORSEMENT

11 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully  
12 submitted for consideration by the Physical Therapy Board of California of the Department of  
13 Consumer Affairs.

14  
15 DATED: April 15, 2008

16 EDMUND G. BROWN JR., Attorney General  
17 of the State of California

18 Original Signed By: \_\_\_\_\_  
19 VIVIEN H. HARA  
20 Deputy Attorney General

21 Attorneys for Complainant  
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**Exhibit A**

**Accusation No. 1D 2006 64545**

**Exhibit B**  
**Public Reproval**  
**Case No. 1D 2006 64545**

**BEFORE THE  
PHYSICAL THERAPY BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**JOHN KAVAYIOTIDIS, P.T.**

Physical Therapist License No. PT 9250

Respondent.

Case No. 1D 2006 64545  
OAH No.

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Physical Therapy Board of California, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on June 5, 2008.

It is so ORDERED May 6, 2008.

Original Signed By:  
PHYSICAL THERAPY BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS